

Deposition of Edward Grillo, taken April 24, 2012

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

HOBART CORPORATION, et al.,)

)

Plaintiffs,)

)

-vs-

) Case No. 3:10-CV-195

)

WASTE MANAGEMENT OF OHIO,)

INC., et al.,)

)

Defendants.)

DEPOSITION OF EDWARD GRILLOT taken by me,
Susan L. Bickert, a Certified Shorthand Reporter
and Notary Public in and for the State of Ohio, at
large, pursuant to the Federal Rules of Civil
Procedure, as upon Direct Examination, at the
offices of Thompson Hine, LLP, Austin Landing I,
10050 Innovation Drive, Suite 400, Dayton, Ohio
45342, on Tuesday, April 24, 2012, commencing at
10:10 o'clock a.m. on behalf of the Plaintiffs.

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1 the crank?

2 A Yeah.

3 Q So it was a pretty big can opener?

4 A Oh, yeah.

5 Q Do you know where that can opener
6 came from?

7 A No.

8 Q Now, one of the questions for me is
9 where did all these drums full of liquid or nearly
10 full of liquid or the open ones that were spilling
11 out, where did those drums come from?

12 A From talking to a couple of the
13 drivers, they came from another barrel site. It
14 was out in Beaver Creek.

15 Q Barrel site in Beaver Creek?

16 A Mm-hmm.

17 Q If you heard it being referred to as
18 the Barrel Factory --

19 A Barrel Factory, yeah.

20 Q Is that how you heard it from the
21 drivers?

22 A Right. Plus, when it had a mishap
23 over there in the early seventies, an explosion,
24 and the whole city of Dayton got to see the
25 fireworks display. So it was a pretty big ordeal.

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1 Q This was an ordeal over in
2 Beaver creek?

3 A Right.

4 Q So a lot of these drums -- I'm going
5 to let you say, but did a lot of the drums come
6 from Beaver creek to your understanding?

7 A Right, mm-hmm. But some came from
8 Inland, Delphi, various different other companies,
9 but I think the majority came from there.

10 Q "From there" being?

11 A Dayton Drum -- I mean --

12 Q The Barrel Factory?

13 A Yeah, Barrel Factory, yeah.

14 Q Now, you just mentioned Dayton Drum.
15 Did you hear of a company called Dayton Industrial
16 Drum?

17 A Mm-hmm.

18 Q Do you know whether that was a
19 source of the drums?

20 A I know from the Barrel Factory
21 mostly, but I've heard that name several times.
22 So, yeah.

23 Q You've heard the name Dayton
24 Industrial Drum several times?

25 A Right, mm-hmm.

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1 Q But your understanding from talking
2 to the drivers is that the drums that were either
3 poured into the pit or into the heavy liquid
4 location was from the Barrel Factory; is that
5 right?

6 A Right, mm-hmm.

7 Q You have to answer audibly.

8 A Yes, yes.

9 Q Thanks. All right.

10 Now, that can opener that you used, the
11 mechanical can opener, was that helpful for you?

12 A Very helpful, yeah.

13 Q Made your job easier?

14 A Got more money out of the drums.

15 Q And why is that?

16 A Well, I could do a lot more a day,
17 you know.

18 Q How much were you getting per drum?

19 A Fifty cents.

20 Q Fifty cents?

21 A Mm-hmm.

22 Q Who paid you?

23 A Uncle Alcine.

24 Q I'm going to ask you about kind of
25 the southern end of the site. And we talked about,

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1 those booms, you know, and I think Dayton Power and
2 Light trucks had the booms and Ohio Bell.

3 Q Okay. One other question and then
4 I'm going to take just a break to see if I have
5 anymore. I'm not sure I do.

6 But we talked about drums coming in from
7 the Barrel Factory.

8 A Mm-hmm.

9 Q What sort of trucks did you see
10 coming in from the Barrel Factory?

11 A Well, I mentioned before it was a
12 big -- I don't know my trucks, I mean, by the
13 tonnage, but they were big -- if we go back to --
14 it would look similar to Exhibit 27, the bottom
15 truck, the green one. But it wasn't a -- it was
16 caged in, and that's where they would bring some in
17 that and take 'em in that. And then like this
18 dumpster is what -- they would bring some in. When
19 I told you they would spill and stuff like that,
20 they were more like dump trucks.

21 Q So some of them looked like these
22 roll-off trucks in the bottom picture?

23 A Right.

24 Q And others more like dump trucks?

25 A Right.

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1 Q All right. I think I'm going to
2 take a quick break to huddle and see if I have
3 anymore questions. I don't think so. Just a quick
4 break.

5 (Whereupon, a recess was taken.)

6 MR. SILVER: We pass the witness. We're
7 done. And it's up to whoever wants to go first.
8 Marty, you can go first.

9 MR. LEWIS: Actually, since I'm on the
10 phone why don't people in the room go first. That
11 might be the best thing.

12 MR. SILVER: No problem. Any volunteers?

13 CROSS EXAMINATION

14 BY MR. MERRILL:

15 Q Good afternoon, Mr. Grillot. My
16 name is Frank Merrill. I'm an attorney with the
17 law firm of Bricker and Eckler, and I'm here
18 representing one of the defendants, the Dayton
19 Power and Light Company, DP&L.

20 A Okay.

21 Q So I've got some questions and
22 follow-up questions to ask you regarding --

23 A What kind of questions?

24 Q Some follow-up questions.

25 A Oh, follow-up. Okay.